

‘LOST, ENFEEBLED, AND DEPRIVED OF ITS VITAL EFFECT’: MILL’S EXAGGERATED VIEW OF THE RELATION BETWEEN CONFLICT AND VITALITY

Mill thinks our attitudes should be held in a way that’s active and ‘alive’. He believes attitudes that lack these qualities—those held dogmatically, or in unreflective conformity—are inimical to our well-being. This claim then serves as a premiss in his argument for overarching principles of liberty. He argues that attitudinal vitality, in the relevant sense, relies upon people experiencing (and being open to) attitudinal conflict, and that this necessitates a prioritization of personal liberties. I argue that, *pace* Mill, contestation isn’t required for attitudinal vitality. I describe one species of attitudinal vitality that isn’t reliant upon conflict.

I

Introduction. Mill tells an enticing tale, in *On Liberty*, about how debate, conflict and contestation serve to vitalize the minds of human beings. Of course we need freedom of opinion so that falsehoods can be challenged, and so that partially true opinions can be refined and brought closer to the whole truth. But the salutary effects of conflict and contestation are just as important in cases where the truth is already known. If a true opinion is not ‘vigorously and earnestly contested’, then it will generally be held

in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but . . . the meaning of the doctrine itself will be in danger of being lost, or enfeebled, or deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession . . . preventing the growth of any real and heartfelt conviction. (Mill 2002, pp. 43–4)

In short, contestation jolts us out of our mental sleepwalking. It gives people ‘a lively apprehension of the truth which they nominally recognize’ (Mill 2002, p. 33). It brings our attitudes to life.¹ I find

¹ There is no one point at which Mill directly explains what these metaphorical ways of describing our attitudes – in terms of life and vitality, and contrastingly, of death and morbidity – are meant to be denoting. But we pick up his intended meanings indirectly at numerous points. The passage quoted above suggests two such meanings. First, vital attitudes have phenomenological qualities that dead dogmas lack: they are *heartfelt*, or in some other way laden with feeling. Second, vital attitudes influence our behaviour, in ways that

something deeply appealing in this story, and in Mill's effusive way of telling it. I leave behind an enthusiastic trail of 'yesses' and exclamation marks in the margins as I'm reading along. And I think that's because Mill is helping me to grasp, in a more tangible and vivid way than usual, precisely why I feel an affinity for certain liberal shibboleths. He is taking ideas I have subscribed to for a long time, and reinvigorating them. He simultaneously reminds me of my reasons for buying into these ideas, and makes those reasons sharper and more subtle.

But this is actually a tad ironic—the invigorating effect that Mill's arguments have on my mind. If Mill's views are correct then it isn't meant to go like this. What's supposed to enliven my thoughts about liberalism and free speech is an encounter with full-blooded criticism of those thoughts. If I want to have my engine revved, then I should be reading MacKinnon or Marcuse. Going back to Mill, if I am already liberal-minded, is, so Mill himself would argue, a recipe for mental drowsiness.²

So what's going on? I will argue that Mill is wrong about the nature of the relationship between attitudinal contestation and attitudinal vitality. Through the first half of *On Liberty* he repeatedly claims, in various formulations, that people cannot fully appreciate the meaning, the underpinnings, and the practical significance of their views, except through a no-holds-barred encounter with opposing views. I will argue that this is an unjustified overgeneralization. It takes a plausible conjecture about the link between attitudinal contestation and attitudinal vitality—that the former tends to promote the latter—and turns it into a dubious quasi-necessity claim: that the latter is unattainable without the former. I will argue that it is at least possible, in the absence of conflict and contestation, to fully and vitally inhabit one's attitudes. Mill and many of his followers have

dead dogmas don't: they have a telling *effect on character and conduct*. A third sense of these metaphors will emerge later on. Whereas dead dogmas are passive, vital attitudes are active. They don't only influence our action, they are also held through some kind of active mentation.

² Granted, I am encountering criticism of my views through Mill's discussion of liberalism's critics. And this second-hand encounter could be responsible for some of the invigorating effects of the text. But by Mill's own lights, this sort of encounter with opposing ideas isn't how our ideas are supposed to be vitalised. It isn't enough for someone to 'hear the arguments of adversaries from his own teachers . . . That is not the way to do justice to the arguments, or bring them into real contact with his own mind. He must be able to hear them from persons who actually believe them . . . he must feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of' (Mill 2002, p. 30).

latched onto a particular kind of picture of how attitudinal vitality is generated and maintained in human minds. But their picture is overly homogenized. There is a greater diversity in the way that different people's minds and temperaments behave, in these respects, than the Millian picture allows. (To attend to this diversity is in its own way a very Millian way of seeing things.)

I will begin in §II by showing how Nishi Shah's reading of Mill's argument for free speech falls prey to the kind of challenge to Mill that I have just outlined. On Shah's reading of Mill's argument, censorship undermines its own putative justification, because we cannot be justified in having a belief while seeking to prevent contestation of that belief. It is plausible that openness to contestation generally conduces to justified belief. But this argument transforms that thesis into an implausible necessity claim: that openness to contestation is a general prerequisite for justified belief.

In §III, I present a more promising version of Mill's thesis about the relationship between attitudinal contestation and attitudinal vitality—more promising both as piece of Mill exegesis and as a position in its own right. The kind of attitudinal vitality that Mill is fundamentally concerned with isn't a matter of justification, but rather of human well-being or flourishing. Attitudinal contestation is a precondition for the kind of mental vitality that characterizes a thriving existence for beings like us. There is a *prima facie* stronger defence to be given for this claim. But again, so I argue in §IV, Mill overplays his hand. An analogy with romance will help us appreciate why. You don't need to play the field romantically, or continually put your love to the test, in order to sustain the vitality of a loving relationship with another person. By a similar token, you don't need to maintain a posture of continual self-second-guessing, or openness to wholesale attitudinal revision, in order to have a vivid appreciation of the meaning, the underpinnings, and the practical significance of your attitudes.

I conclude in §V by tracing the implications of the above for classical liberal theses about free speech and experiments in living. If attitudinal contestation is merely conducive to—as opposed to being a necessary condition for—attitudinal vitality, isn't that still reason enough to ensure that we uphold core liberal rights? Yes, but it recommends a milder and more nuanced opposition to policies that sacrifice some attitudinal contestation for the sake of other goods. These policies do not automatically turn us into the living dead,

mentally speaking, especially not if they're enacted in concert with other policies and practices that encourage attitudinal vitality.

II

Contestation and Justification. Mill thinks that if you suppress false opinions you are imagining yourself as having an infallible grasp of the truth. Why does he think this? Presumably in any scenario where you consciously act based on certain beliefs, you are taking your beliefs and actions to be backed by good reasons. If you go to the shop to buy a hex key to repair your bike, you aren't thereby presuming that your beliefs (about hex keys, your bike, the shop) are infallible. You're just taking steps to achieve your ends, based on your understanding of the facts. So why not say the same about the censor? If the censor restricts misinformative scaremongering about vaccines—based on her (the censor's) belief that such restrictions will benefit public health, by counteracting vaccine hesitancy—isn't she simply taking steps to achieve a worthwhile end, given her understanding of the relevant facts? No assumption of infallibility need be involved.

The passage where Mill addresses this point is central to Shah's reading. Mill says,

There is the greatest difference between presuming an opinion to be true, because, with every opportunity for contesting it, it has not been refuted, and assuming its truth for the purpose of not permitting refutation. Complete liberty of contradicting and disproving our opinion, is the very condition which justifies us in assuming its truth for purposes of action; and on no other terms can a being with human faculties have any rational assurance of being right. (Mill 2002, p. 16)

As Shah says, there appear to be two connected claims here, about the consequences of restricting purported refutations of some opinion *P*. First, such restrictions undermine the putative justification for believing *P*. Second, they undermine any putative justification for acting in a way which is premised upon *P*'s being true.

Why accept the claim about doxastic justification? According to Shah, censoring attempted refutations of *P* betrays a close-mindedness about *P*, and 'having the virtue of open-mindedness is a necessary condition for being epistemically justified' (Shah 2021, p. 83).

This is a surprising claim. Here's an example that shows why. Giving an injection of adrenaline to someone having a bad allergic reaction reduces their chance of dying. Call this proposition *P*. Suppose that *P* is true, and that I have lots of evidence that indicates *P*'s truth, with no misleading counter-evidence. And suppose I come to believe *P* based on this evidence, and that I'm not subject to any special sources of higher-order doubt about the reliability of my belief-forming process. In this case, my believing *P* seems justified regardless of whether I evince open-mindedness in respect of *P*, or anything else I believe. And this in turn casts doubt on Mill's second claim, about pragmatic justification. Suppose that based on my belief that *P* I give a shot of adrenaline to someone having a severe allergic reaction. It seems implausible that this act lacks pragmatic justification purely because I am being overly confident in my (true and well-founded) belief about how to treat severe allergic reactions.

So close-mindedness doesn't have the justification-nullifying power that these remarks by Mill would seem to suggest. What Shah is trying to highlight, though, is a special type of justification-nullifying power, which comes from a specific, ultra-dogmatic *form* of close-mindedness, namely, that which is evinced in trying to prevent oneself or others from encountering challenges to *P*. I might believe that *P* based on impeccable evidence, but if I try to ensure that no one ever hears anything that militates against believing *P*, I diminish the justificatory force of that very evidence.

Shah thinks these ideas about justification are implicit in how we justify policies. Policies apply now and into the future. If you believe you have sufficient reasons overall for enacting policy *Q*, you are assuming that *Q* will still be supported by sufficient reasons in future, while it remains in effect. But if you try to prevent future encounters with evidence that challenges the beliefs underpinning *Q*, you won't be able to tell whether *Q* is reasonable on balance, because you will have depleted and gerrymandered your stock of evidence vis-à-vis *Q*'s reasonableness. Censorship policies therefore seem to be *uniquely* justificatorily self-undermining. Censorship of *P* is—by definition, for Mill and Shah—motivated by the censor's certainty of *P*'s falsehood. But censoring pro-*P* arguments leaves you less likely to learn of *P*'s truth if *P* is true. And if *P* is true, then the certainty that motivated the censorship was surely unwarranted. The aim of censoring *P* or pro-*P* arguments is to give a kind of practical unavailability to the beliefs that putatively justify you in having that

aim in the first place. And this nullifies any putative justification for censoring. In Shah's words,

Silencing an opinion undercuts our ability to justify the belief that the opinion is false—which is the very belief upon which we act in silencing the opinion—[and so] it follows that the act of silencing an opinion undercuts its own justification. (Shah 2021, pp. 79–80)

I don't think this argument's conclusion can travel very far. For one thing, it is only censorship motivated by the aim of suppressing known falsehoods which has this special, self-undermining character. But many restrictions on free speech are not thus motivated. For example, we restrict the sharing of classified information precisely because of its truth—truth that becomes dangerous if let loose—and we restrict non-truth-apt expressions of contempt not because they're false—definitionally, they cannot be—but because of the harm they do.³ For another thing, Shah's argument needs to draw upon a notion of justification that is embodied in our ordinary justificatory practices. (If his argument invokes a stipulatively defined counterpart notion, *justification**, it loses any impact. The interesting claim is that censorship can't be justified. It is of little interest to claim that censorship can't be *justified**.) But the notion of justification Shah invokes isn't embodied in our justificatory practices, in any general way. It is only found in arguments aiming to justify free speech specifically. Shah seems to acknowledge as much: ordinary policies don't express this hyper-dogmatic (and justification-nullifying) unwillingness to face contestation. It is only censorship as defined in a Millian mould, that is, restrictions that fundamentally aim at suppressing ideas taken to be incontrovertible falsehoods, which bears this flaw.

This isn't to deny the grain of truth in this part of Mill's thinking. If you prematurely come to total certitude that *P* is true, and you try

³ Other authors, including one of *On Liberty's* famous early critics, James Fitzjames Stephens (1991, p. 77), make a similar complaint about Mill's claim that all censorship aims at suppressing views that the censor sees as manifest falsehoods. Haworth (2007) argues that the real point of this claim from Mill is to expose the *authoritarian fallacy*, that is, the idea that those who exercise institutional authority *ipso facto* possess epistemic authority. But people who want to suppress falsehoods can easily defend their position without falling into this fallacy. To say that a government has the requisite epistemic authority to be epistemically justified in suppressing some view in a certain situation, isn't to say that they possess that epistemic authority purely by dint of the institutional authority they have qua government.

to ensure that the question of whether *P* stays off the table forever, then intuitively, your justification for believing *P* doesn't seem to be indemnified by your erstwhile diligence in coming to believe *P*. The way you're holding the belief now—something about that belief's lack of safety, as a result of your pig-headedness about it—robs it of the justificatory merit it might once have had. This type of close-mindedness does indeed seem justification-nullifying, and censorship motivated by it thus seems justificatorily self-undermining.

There is a risk of inferring too much from this, though. I suggested that Mill muddies the waters in stipulatively defining 'censorship' such that censorship necessarily aims at suppressing falsehoods. But even in those cases where suppressing falsehood is indeed the censor's goal, the Mill-via-Shah view seems to be premised on an overly narrow account of the (ultimate) intentions that could be underpinning that (proximate) goal. Their view is that whenever one tries to suppress falsehoods, one is evincing, and corraling others into, a doxastic stance that is somehow defective—that is lazy, stubborn, enervated. The idea seems to be that the only reason you could have for suppressing a view that you take to be false is that you have lost the vigour or the integrity needed to carry on wrestling with the question of that view's truth status. But there are telling counterexamples to this way of construing things. Consider bans on reactionary historical revisionism. They do not necessarily evince or encourage doxastic torpor. In some cases, rather, they are part of a strategic policy aimed at *sustaining* doxastic vitality. The kind of policy I have in mind is devised for a special type of epistemic environment: one awash with attempts to sow doubt and confusion about views which (in the absence of that very doubt-mongering) would stand as incontrovertible facts. This sort of epistemic environment can breed its own kind of intellectual malaise, one which leads us towards relativistic mental listlessness. 'Who can really say what's true, with so much controversy and fake news flying around?' Sometimes, when a community's intellectual bearings are being messed with like this, an epistemic authority's best bet for promoting doxastic vitality in that community will be to militantly insist upon the facts and quash the lies.⁴ And while there is certainly a danger of

⁴ Many authors argue that truth isn't best-served by a wide-open marketplace of ideas: for example, Goldman and Cox (1996) argue that a marketplace of ideas promotes ideas based on popularity, not truth; Brink (2001) argues that some speech in an unregulated society impairs people's deliberative capacities; and Leiter (2016) argues that by Mill's own lights,

these tactics being abused, that doesn't undercut the point I am making. One can seek to suppress falsehoods in a way that is motivated by, and which aims at realizing, a similar positive epistemic vision to the one Mill champions: a vision of people with their thinking caps on, of minds alive and awake to the world.⁵

All the students I teach believe that six million Jews were murdered in the Holocaust. But in my experience, the typical German student's way of holding this belief—her ability to explain it, citing evidence, and to display some historiographical insight in her thinking about it—is superior, by Millian standards, to the typical British student's way of holding it. If Mill is right, this should be surprising. We should expect people from a nation that prohibits Holocaust denialism to hold their beliefs on this dogmatically and flat-footedly. Mill's view generates a false prediction, in this case, because he has too narrow an understanding of the different sorts of social epistemic dynamics that can occur in a society. Once we take stock of that variety, we will need a more nuanced and more qualified account of the potential uses and motivations for suppressing falsehoods. Mill takes something that is ordinarily a mark of doxastic vitality, and which ordinarily conduces to doxastic vitality, and declares it a necessary condition of doxastic vitality. It is generally a good thing to have your belief that *P* challenged and for you to be open to such challenges. In many cases, this experience and disposition are justificatorily salutary. But the real underlying source of the justificatory benefit is that you remain willing and able to think hard about why you believe what you believe—that you are staying intellectually on your toes, so to speak. That is what sustains a belief's justified status,

as seen in his rejection of free speech around mathematics, there is no veritistic benefit to debates over 'controversies' where there are no good arguments or evidence available on one side. I'm making an adjacent point, though. Veritistic goods aside, neither is *doxastic vitality* always well served by an open marketplace of ideas. Trolls, lunatic denialists, paid shills, and other kinds of doubt-mongers may succeed in getting people to believe falsehoods. But they can also do damage to people's doxastic vitality, even for those who aren't hoodwinked. The doubt-mongers can, to paraphrase Mill, enfeeble people's beliefs, and deprive those beliefs of their vital effect.

⁵ Shiffrin (2014) argues that censorship can be likened to solitary confinement. The inability to speak your mind to others attenuates your mental powers in a way similar to (but milder than) the mental decline of the solitarily confined prisoner. Does this line of thinking spell trouble for my suggestion that it's possible to suppress falsehoods as a way of promoting doxastic vitality? Won't suppression inevitably lead to the mental deadening that Shiffrin identifies? Not inevitably. Suppose we are suppressing speech that promotes anti-vaccination conspiracies. This *could* isolate the anti-vaxxer in his own mind. But equally, it could force him out of the hall of mirrors he's lost inside, and return him to the wider discursive community from which he has, under the guise of his heterodox opinions, retreated.

further to its having been acquired via a reliable method in the first place. And it’s at least possible to stay on your toes like this without you welcoming every piece of nay-saying as a productive stimulus.⁶

III

Contestation and Flourishing. Mill wants his arguments on free speech to be understood as resting on utilitarian foundations,⁷ and the best interpretation of *On Liberty* takes Mill at his word on this, as opposed to seeing it as mere lip service to views he defends elsewhere. We are certainly pushed this way if we read *On Liberty* alongside other key works in Mill’s corpus.⁸ But even when read in isolation there is little room to interpret it otherwise. The text’s overall purpose as spelled out in chapter I is to argue that maximal freedom should be afforded to three areas of human behaviour that specially manifest and cultivate our individuality, roughly (1) what we think, feel and say, (2) the pursuit of our lifestyles and personal interests, and (3) our associations with others (Mill 2002, p. 10). Throughout the introductory overview of his position Mill repeatedly speaks of the *improving* and *beneficial* effects of such liberty. It isn’t out of a reverence for rights or justice that we should refrain from forcing others to live in ways that seem right to the rest of us.

⁶ The point I’m making here superficially aligns with Fantl’s (2018) views on the limitations of open-mindedness. Fantl considers situations where you know some argument (or evidence) is misleading, while being unable to pinpoint how or why. In such cases, Fantl argues, you are often justified in dismissing the argument. Indeed, he thinks this evinces intellectual humility, since it’s immodest to suppose that you would always be able to identify the flaw in a misleading argument. This seems plausible, but I’m wary of Fantl’s suggestion that you’re *often* justified in such thinking. The tactical close-mindedness that I’m defending—that I’m saying it’s *possible* to non-viciously evince—is warranted in a specific epistemic environment: one overrun with misinformation and doubt-mongering. In less fraught environments, Fantl’s defence of close-mindedness seems to me to undervalue the epistemic benefits that come through you struggling to pinpoint the fault in misleading challenges to your beliefs.

⁷ To quote the famous passage: ‘I forgo any advantage which could be derived to my argument from the idea of abstract right . . . I regard utility as the ultimate appeal on all ethical questions; but . . . utility in the largest sense, grounded on the permanent interests of man as a progressive being’ (Mill 2002, p. 9).

⁸ For example, for an account that reads *On Liberty* together with *Utilitarianism* and the *Autobiography*, and which emphasises the centrality of experiments in living in Mill’s mature utilitarian philosophy, see Anderson (1991); or for an account that reads *On Liberty* together with *Considerations on Representative Government*, and which highlights Mill’s views about the interrelated epistemic benefits of protecting free speech while democratizing education, see Halliday and McCabe (2019).

We allow people to pursue their own good in their own way because ‘mankind are greater gainers’ as a result (2002, p. 10).⁹

What is actually going on, then, in chapter II, in the epistemically-flavoured arguments about free speech? Mill speaks to this interpretative question in the closing passages of chapter I (2002, p. 11), and then again in the opening of chapter III (pp. 46–7). The epistemically flavoured arguments in chapter II are meant to indicate the benefits of liberty via a specific illustration of the general principle. By showing how it benefits us to be free in what we think, feel and say, these arguments reveal the benefits of freedom in the other two areas, that is, in our lifestyles and associations. But then, if the same reasoning that supports freedom of expression is also meant to support freedom in lifestyle, it cannot be that the ultimate axiological foundations underpinning the chapter II arguments are about doxastic justification. This would suggest, implausibly, that Mill understands experiments in living as valuable primarily due to their epistemic-cum-doxastic benefits. The better interpretation is that the axiological foundations underpinning the chapter II arguments are the same as those underpinning the chapter III arguments about experiments in living. We need freedom in our lifestyles, just as we need freedom of expression, because in both areas this conduces to mature human flourishing, that is, to utility in the largest sense, grounded in humanity’s progressive interests (Gray 1991, pp. xiii–xvii).

If that is the overall thrust of Mill’s arguments, then how do we interpret his claims about the relationship between attitudinal contestation and attitudinal vitality? Roughly as follows: attitudinal contestation, and our openness to it, are not required in order for our attitudes to be *justified*, but in order for our attitudes to be held in a way that’s consonant with our *flourishing*. To illustrate (simplistically): suppose you’ve eaten salad sandwiches for lunch daily since you were a child. You find them tasty and nutritious, and you plan to lunch on them for the rest of your days. That’s what a good life looks like for you, lunch-wise. Are you justified in the relevant set of attitudes? Sure. If you find the sandwiches tasty and if they are

⁹ Note that it’s very likely an error to see Mill’s defence of liberty in these three areas as being premised upon the claim that the exercise of these liberties doesn’t affect other people. Mill’s view is that liberty in these areas is essential to humanity’s moral and intellectual self-realization, and hence that the attainment of higher pleasures demands their protection *notwithstanding* their effects on others. For accounts that defend this general line of interpretation of Mill, see for example [Jacobson \(2000\)](#) and [Turner \(2014\)](#).

indeed nutritious, your attitudes seem justified. But are you truly flourishing in how you hold your lunch-related attitudes? Plausibly, no. Because you're simply letting inertia carry you. There are untried experiences—stimulating, differently nutrifying experiences—whose enlivening potential you're wasting. The ingrained quality of your attitudes is a barrier to a higher tier of well-being. It isn't just that you may end up enjoying other lunches more. Even if you stick with salad sandwiches, your lunch-related attitudes will be zestier and all-round better for you if you've genuinely put them on the line.

Encountering different ways of living and making sense of things—and being generally receptive to such encounters—is thus, so one may argue, a precondition for our flourishing in whatever world-views and lifestyles we've latched onto at any given moment in our lives. This looks more defensible on its face than the claim that our attitudes lack justification if we aren't welcoming their contestation. Whether an attitude is justified depends primarily upon how it corresponds to states of affairs in the world, outside the mind of the person holding it. But whether an attitude conduces to its bearer's flourishing depends critically upon the way in which it's seated in the mind of its bearer. Even an attitude that would appear favourable to its bearer's well-being—like, say, a desire to eat well and get plenty of sleep—can undermine well-being if it's held with unquestioning rigidity. Such a desire might be founded on impeccable evidence and sound means-end reasoning. If so, it is difficult to deny its justifiedness. But in its unbending way of being held it can inhibit the bearer's well-being all the same. The key to avoiding this, for Mill, is to resist habituality or conformity in our attitudes, and in the lives we lead by the lights of those attitudes, and to proactively explore different ways of thinking and living, guided by an ethos of personal self-realization. In making that shift, Mill believes, we can move from a state of animality or morbidity into a vitalized, more fully humanized kind of existence.

It is not by wearing down into uniformity all that is individual in themselves, but by cultivating it . . . that human beings become a noble and beautiful object of contemplation . . . by the same process human life also becomes rich, diversified, and animating . . . strengthening the tie which binds every individual to the race, by making the race infinitely better worth belonging to. (Mill 2002, p. 52)

And there is, so one might go on to argue, no way for each of us to go through this process of individuation—to agitate our ideas into a state of vitality, and to figure out the lifestyles that are suited to us, rather than falling into the living death of a herd mentality—that does not partly involve observing and experiencing some variety of world-views and lifestyles, at least in a second-hand way if not through our own experiments in living. In these encounters we learn which things resonate with us as individuals, and in embracing that which resonates, we bring our attitudes and activities to life. This is how beings like us flourish. Thus, Mill says, we need people

to commence new practices, and set the example of more enlightened conduct, and better taste and sense in human life . . . there are but few persons . . . whose experiments, if adopted by others, would be likely to be any improvement on established practice. But these few are the salt of the earth; without them, human life would become a stagnant pool. (Mill 2002, p. 53)

IV

Truculence and Engrossment. Again there are grains of truth here, but again Mill exaggerates them. An analogy will help to show this. Pat has never fallen in love. She has dated now and then, sometimes in a serious way, but never fuelled by intense feelings of romance or adoration. But then she meets Lou, and the two of them become completely and utterly besotted. Thereafter, Pat and Lou never feel anything less than wholehearted devotion to each other. And it's a proactive kind of love, where they both continually seek to replenish and enrich their connection to each other. This leads them to a lifetime's journey of mutual growth, long after the limerence of their early days has petered out. In later years they still find themselves learning more about each other, finding and cherishing newly found facets of each other's beings, while at the same time enjoying that steady, secure feeling of complete trust and mutual understanding.

With apologies for the schmaltz, I take it that this is sometimes how love goes. Some lives have one engrossing, unfaltering—we might say axiomatic—love. And in principle, these loves have the potential to be just as fulfilling and vital as any. The rich quality of such love is not contrastive, either in its formation or in its

phenomenology. It is not in the lover's comparing this love to some other flawed or insufficient love (before or after) that its specialness is apprehensible. The ardent lover doesn't necessarily need to play the field romantically, and put their love to the test in that particular way, in order to sustain real vitality in their feelings for the beloved.

As it goes for romantic love so it goes for beliefs, world-views, and lifestyles. Think about the people you know well enough to have a sense of the mode in which they hold to their world-view and lifestyle. They might be environmentalists, devout religious believers, hard-line trade unionists, libertarian think-tank types, or others whose views resist any neat labels. Some of them will hold their attitudes in the way that Mill derides. They glom on to a certain set of ideas, and over time these ossify into dogmas and corresponding behavioural ruts. We might liken them to people who stay romantically tied to another out of inertia, stubbornness, lethargy, self-abnegation, or fear of change. Other people hold their attitudes in the way that Mill endorses. They continually wrestle with their ideas and re-evaluate their endeavours. We can liken them to people who cannot abide relational ennui, and who experience regularly evolving romantic attractions. But (this is the key point) some people don't fall into either camp. Some people—a minority, perhaps, but some—are unbending in their beliefs and lifestyles, similar to the dogmatists, while remaining thoughtful, engaged, vigorous and reflective in their views, like the open-minded folks. Some people inhabit their world-view and lifestyle in a way that's relevantly similar to Pat's one-eyed but nevertheless enduringly spirited love for Lou.¹⁰

I'm not trying to deny that attitudinal vitality is essential to well-being. I think Mill is right that setbacks to human flourishing are caused and constituted by ideas and lifestyles being adhered to in an inert, sheep-like, or zombie-ish manner. But Mill's way of elaborating this thesis fixates upon one specific form of attitudinal vitality—the one he's familiar with from his own experiences—and erroneously equates this with the quality of attitudinal vitality per se. The

¹⁰ I don't want to overlay the likeness between romance and world-view. A world-view has to answer to reasons in a way that a romance doesn't, or at least needn't. So what is involved in actively and reflectively inhabiting your world-view isn't exactly the same as what is involved in actively and reflectively loving someone. My point is that with romance, as with a world-view, you aren't necessarily forced to choose between being fully and unflinching committed, on the one hand, and being active and reflective in how you inhabit your stance, on the other. Unshakable commitment is compatible with attitudinal vitality, at least in principle. It doesn't necessarily lead to an obstinate or 'checked-out' mindset.

type of vitality that Mill fixates upon is what we might call *Truculence*.¹¹ It is characterized by an abiding awareness that your views are in competition with rivals and alternatives. Thus a Truculent Christian may spend a lot of time imaginatively rehearsing debates with non-believers, and worrying about whether she will one day find herself persuaded to join their ranks. Or consider the Truculent Kantian ethicist. He generally finds that his insights into his own ethical commitments are at their sharpest when he's reflecting on why he rejects Utilitarian and Aristotelian views. In short, the attitudes of a Truculent mind retain their sense of vividness and significance through an ongoing trial by combat.¹²

Is Mill right that a lack of contestation *can* rob commitments of their vitality? Yes. But he's wrong to think that there can be no vitality without Truculence. We see this by contrasting Truculence with another type of attitudinal vitality, which we might call *Engrossment*. This is characterized by an energizing curiosity about the richness, complexity and many-sidedness of one's theoretical and practical commitments. The Engrossed Christian is eager to learn about the various theological, sociological and political strands of her religious tradition. She aspires to a faith that is continually deepening, evolving, and becoming more comprehensive, in both senses of the word. Or consider the Engrossed Kantian ethicist. He's eager to think about Kant's ethics from many different complementary

¹¹ When I say Mill's fixation on Truculence comes from his own experience, I'm basing this on Mill's account of his own life in the *Autobiography* (2018). The obvious reference point here is Mill's transformative personal crisis in early adulthood. But in fact, throughout his life, as he recalls and interprets it, Mill's intellectual vigour was spurred by a sense of his views being in competition with rival views. This is borne out in his account of the organized debating societies that he zealously participated in, for example, against the socialist Owenites. It's also indicated in how frequently he found generative intellectual friction in the ideas of his contemporaries, such as Thomas Carlyle and Auguste Comte, with whom he initially felt a close affinity, only to discover over time various points of invigorating disagreement.

¹² Mill thinks the tight connection between Truculence and mental vitality is revealed in the observable trajectory of doctrines and creeds throughout history: 'Their meaning continues to be felt in undiminished strength, and is perhaps brought out into even fuller consciousness, so long as the struggle lasts to give the doctrine or creed an ascendancy over other creeds. At last it either prevails, and becomes the general opinion, or its progress stops' (Mill 2002, pp. 32–3). But once this occurs, the creed's followers, 'instead of being ... constantly on the alert either to defend themselves against the world, or to bring the world over to them ... have subsided into acquiescence, and neither listen, when they can help it, to arguments against their creed, nor trouble dissentients (if there such be) with arguments in its favour. From this time may usually be dated the decline in the living power of the doctrine ... No such difficulty is complained of while the creed is still fighting for its existence' (Mill 2002, p. 33).

angles, to explore a wide range of possible interpretations, and to repeatedly grapple with the question of what a Kantian ethic practically demands of us in a changing world. Where the attitudes of a Truculent mind come to life in a fight for survival, the attitudes of an Engrossed mind are like plants whose vitality is drawn from their ever-deepening and ramifying root system.

In their differing ways, both Engrossment and Truculence serve us better than the inert, sheep-like, and zombie-ish attitudinal postures that Mill sees as inimical to human flourishing. For many people Truculence is the more readily inhabitable form of attitudinal vitality. Engrossment requires a degree of patience and effortful investment that many of us can't easily expend in our busy lives, whereas Truculence tends to be elicited purely in co-existing among people who disagree with you. In any case, this distinction helps us to pinpoint the weakness in Mill's ideas about the relationship between attitudinal contestation and attitudinal vitality. The former tends to promote the latter, because it tends to provoke a particular type of attitudinal vitality, namely, Truculence. But Mill is wrong to suggest that attitudinal vitality cannot exist without attitudinal contestation. Why? Because the ideas of an Engrossed mind don't need to nourish themselves upon conflict in order to live and grow.

The Millian can push back against this challenge by shifting focus from the *individual's* attitudinal vitality to the attitudinal vitality of society as a whole. Engrossment may work as a form of attitudinal vitality for a particular person. But arguably it's bad news for groups. A group of people jointly Engrossed in their shared ideas can, through the operation of social pressures towards conformity, generate a self-reinforcing feedback loop that suppresses dissent and transforms living ideas into dead dogmas. So even if Truculence isn't necessary for attitudinal vitality in the lone individual, once herd dynamics are in effect, at the group level, some Truculence in the way that group members interact with one another becomes indispensable.

These claims could be correct, for all I have argued here. But they await further defence from the Millian. And the type of argument that's offered in support will have to depart from the one Mill leans most heavily upon in *On Liberty*. Mill will agree that Truculence is needed to foster attitudinal vitality in groups. But this view of his is premised on the thesis I have been critiquing, namely, that Truculence is needed for attitudinal vitality in individuals. If

contestation and Truculence are indeed essential ingredients for attitudinal vitality at the group level, the argument for this will need to shift focus away from individual psychology—on which front, I have argued, Mill has an overly homogenized view of how our minds operate—and onto group psychology. And it isn't *obvious* that the chips will fall where the Millian wants them to in the wake of that shift. Groupthink is patently inimical to attitudinal vitality. But an intellectual war of all against all may inhibit attitudinal vitality in other ways. The Millian will need to convince us that what is true of different people isn't also true of different communities: that they have different personalities, and hence that there is no one-size-fits-all prescription as to whether a more bellicose or a more conflict-avoidant disposition will best conduce to their intellectual flourishing.

V

Conclusion. There are other ways to argue for the priority of individual liberty—in expression, in lifestyle, and in our associations—that don't rely upon exaggerated claims about the links between contestation, mental vitality, and human well-being. And even within the parameters of Mill's own work, his claims about these relationships do not constitute the entirety of his argument for the moral significance of individual liberty. I don't want to overstate the upshot of my argument. The upshot is just this: in so far as we are looking to defend liberal principles in a broadly utilitarian fashion, and in so far as we are sympathetic to the Millian idea that attitudinal vitality is a crucial element of human well-being, the argument for a principle of individual liberty will need to be subtler and more qualified than Mill would want us to believe.

For the individual thinker, overt attitudinal contestation is merely conducive to attitudinal vitality, not a necessary condition for it. And thus while we still have *pro tanto* good reasons to try to orchestrate social conditions in which ideas and lifestyles can clash and collide, we should have a more nuanced opposition to policies that trade some of this away for the sake of other goods. Liberals inspired by this part of Mill's thinking tend to be scornful of policies that discourage brazen confrontation and encourage civility and niceness. And of course such policies do sometimes strike an unhealthy

balance, or infringe upon individual liberties to an extent that cannot be justified even in utilitarian terms. But they do not automatically turn us into the living dead, mentally speaking, especially not if they are enacted in concert with other policies and practices that foster attitudinal vitality. The degree of attitudinal vitality in a society isn't simply determined by the frequency and intensity of the conflicts to which it plays host. It is sensitive to a wide range of factors, including the education system, the media, and the arts and entertainment sectors. The attitudinal vitality of a society is likely to be in a healthier state when these institutions foster curiosity, creativity and intellectual striving, and discourage Philistinism in all its forms.

In closing, let us set aside the defence of core liberal principles for a moment. There is another reason why we should resist Mill's exaggerated thesis about the utilitarian upsides of conflict, which is that it may tempt us to overlook the downsides of an adversarial demeanour. Contrarianism isn't always intellectually virtuous. Sometimes it's fatuous and counter-productive. Officially, Mill doesn't regard simple-minded contrarianism as a virtue.¹³ But his exaggerated claims about the benefits of conflict make it easier for the viciously shallow contrarian to mistake his vice for virtue. Another related vice is the tendency we see, in a certain kind of pop science and pop academia, to conflate insight and profundity with the repudiation of received wisdom or common sense. Sometimes received wisdom needs repudiation, but sometimes it is received for good reason. Nothing is gained by believing otherwise, and Mill's romanticized view of contestation lends a veneer of credibility to that belief.¹⁴

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¹³ Mill condemns 'every one, on whichever side of the argument he places himself, in whose mode of advocacy either want of candour, or malignity, bigotry, or intolerance of feeling manifest themselves', and praises 'every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit, keeping nothing back which tells, or can be supposed to tell, in their favour' (Mill 2002, p. 45).

¹⁴ Many thanks to Nikhil Krishnan, Guy Longworth and Polly Mitchell for feedback on a draft version of this piece. My thinking on Mill has also been shaped by vitalizing discussions with Erin Nash.

REFERENCES

- Anderson, Elizabeth S. 1991: 'John Stuart Mill and Experiments in Living'. *Ethics*, 102(1), pp. 4–26.
- Brink, David O. 2001: 'Millian Principles, Freedom of Expression, and Hate Speech'. *Legal Theory*, 7(2), pp. 119–57.
- Fantl, Jeremy 2018: *The Limitations of the Open Mind*. Oxford: Oxford University Press.
- Goldman, Alvin I., and James C. Cox 1996: 'Speech, Truth, and the Free Market for Ideas'. *Legal Theory*, 2(1), pp. 1–32.
- Gray, John 1991: 'Introduction'. In John Stuart Mill, *On Liberty and Other Essays*. Edited with an introduction and notes by John Gray. Oxford: Oxford University Press.
- Halliday, Daniel, and McCabe Helen 2019: 'John Stuart Mill on Free Speech'. In Coady David and Chase James (eds.), *The Routledge Handbook of Applied Epistemology*. Abingdon: Routledge.
- Haworth, Alan 2007: 'On Mill, Infallibility, and Freedom of Expression'. *Res Publica*, 13(1), pp. 77–100.
- Jacobson, Daniel 2000: 'Mill on Liberty, Speech, and the Free Society'. *Philosophy and Public Affairs*, 29(3), pp. 276–309.
- Leiter, Brian 2016: 'The Case against Free Speech'. *Sydney Law Review*, 38(4), pp. 407–40.
- Mill, John Stuart 2002: *On Liberty*. Mineola, NY: Dover Publications. Originally published in 1859.
- 2018: *Autobiography*. Oxford: Oxford University Press. Originally published in 1873.
- Shah, Nishi 2021: 'Why Censorship Is Self-Undermining: John Stuart Mill's Neglected Argument for Free Speech'. *Proceedings of the Aristotelian Society Supplementary Volume* 95, pp. 71–96.
- Shiffrin, Seana 2014: *Speech Matters: On Lying, Morality, and the Law*. Princeton, NJ: Princeton University Press.
- Stephens, James Fitzjames 1991: *Liberty, Equality, Fraternity, and Three Brief Essays*. Chicago: University of Chicago Press. Originally published in 1873.
- Turner, Piers Norris 2014: "'Harm" and Mill's Harm Principle'. *Ethics*, 124(2), pp. 299–326.